

**BOROUGH OF WESTWOOD
PUBLIC MEETING OF THE MAYOR & COUNCIL
May 17, 2016 MINUTES
MUNICIPAL COMPLEX
101 Washington Avenue
7:30 PM Executive Closed Session/8:00 pm Public Session**

1. Opening of the Meeting:

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

2. Roll Call:

Mayor Birkner – Present
Councilmember Owens – Present
Councilmember Montana – Present
Councilmember Grefrath – Present
Councilmember Dell - Present
Councilmember Arroyo – Present
Council President Bicocchi - Present
Borough Attorney Huntington – Present
Borough Administrator Kezmarsky - Present
Borough Clerk Hughes – Present

Committee Assignments:

Public Properties
Finance, Administration & Capital Projects
Fire & Ambulance; Shared Services
Land Use
Police & Emergency Management
Health & Recreation

3. Resolution #16 - 135: Executive Closed Session

Motion to adopt Resolution #16- 135: Councilmember Owens Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

4. Reopen the Meeting:

Motion to reopen the meeting: Council President Bicocchi Second: Councilmember Montana

Voice Vote: A voice vote was taken with all present voting in the affirmative. The time was 8:08 pm.

5. Roll Call II:

Mayor Birkner – Present / Councilmember Owens – Present / Councilmember Montana – Present /
Councilmember Grefrath - Present / Councilmember Dell – Present / Councilmember Arroyo -
Present / Council President Bicocchi – Present / Borough Administrator Kezmarsky - Present /
Borough Attorney Huntington – Present / Borough Engineer Senkevich – Present / Borough Clerk
Hughes - Present

6. Flag Salute

Councilmember Arroyo gave the invocation. Mayor Birkner led those present in the salute to the flag.

7. Approval of Minutes: April 5 and 19, 2016

Motion to Adopt Minutes of April 5 and 19, 2016: Councilmember Grefrath Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes

Council President Bicocchi – Yes

8. Building Safety Month Proclamation

9. Reports of Committees and Officials:

A) Mayor's Report

1) Traffic Issues

Mayor Birkner asked Lt. McClutchy and Sgt. Pontillo to discuss traffic concerns in the downtown areas:

a. Irvington Street- Lt. McClutchy and Sgt. Pontillo recommended to moving the center line northward to create a left turn lane and straight/right lane eastbound at Broadway. They also recommending prohibiting a left hand turn into the gas station from the westbound lane. The consensus was to move forward and submit these recommendations to the County for approval.

b. Madison Avenue - due to construction on the Westgate project, the Police are recommending the parking be changed from angled to parallel to create a safety lane adjacent to the construction that the contractor will be responsible for maintaining. It will reduce parking by 12 spots. A conversation was held regarding the loss of revenue at parking meters due to construction. Councilmembers Arroyo and Dell will discuss the matter further with the Construction Official. Regarding the parallel parking, the consensus was to proceed. The DPW will restripe the area. Meters heads may need to be bagged, which the Parking Authority will take care of. Councilmember Montana requested that the Police notify the Middle School of the truck traffic due to the soil remediation.

c. Washington Avenue - discussion was held regarding pedestrian safety enhancements for the crosswalks at the Iron Horse and Third and Washington. Mayor Birkner suggested further discussion be held at the work session on May 31st. Sgt. Pontillo suggested the Governing Body members walk the area prior to the meeting.

2) Westwood Avenue Streetscape

Mayor Birkner walked Westwood Avenue with Ed Sneickus to review the streetscape tree analysis and determine where replacements are necessary. Mr. Sneickus is recommending four trees be replaced, although Mayor Birkner feels there should be closer to ten. The trees will require a lot of pruning to stimulate growth, and shaping. Mr. Sneickus will take the recommendations back to the contractor. Mr. Woods has provided a punch list of gas and water utility connections in the brick paver area that need to be fixed. There is also a broken tree grate to be replaced. Councilmember Arroyo asked the status of the insurance claim for a parking meter and tree that were taken out in an automobile accident. Mr. Kezmarsky will check with Mr. Woods who is handling it.

3) Emerson Road Pump Station

Mayor Birkner has spoken to the River Vale Mayor about the Emerson Road pump station flow. He was not adverse to the idea and suggested a meeting of the Administrators and Engineers.

4) Senior Citizen Advisory Committee Ordinance

Mayor Birkner asked everyone to thoroughly review the draft ordinance for the Senior Citizen Advisory Committee.

B) Engineer's Report

1) Biweekly Report

Mr. Senkevich reviewed the biweekly report, a copy of which is attached.

2) Third and Washington Traffic Calming

Mr. Senkevich discussed a concept plan for a temporary traffic island at Third and Washington, which would have to be approved by the County. Mayor Birkner pointed out that an island was removed in a previous configuration for the intersection. Councilmember Arroyo suggested tabling the idea until the construction on Madison is completed. Mayor Birkner would like to see how the other traffic calming options work first.

3) Library Parking Lot

Councilmember Montana said he noticed puddling in the newly paved library lot. He asked if it could be checked for proper grading towards the catch basin. Mr. Senkevich will have the inspector check it out.

C) Council Liaison & Committee Reports

1) Finance, Administration and Capital Projects:

a) Special Emergency Note

Councilmember Montana reviewed the details of the special emergency note for \$160,000.

b) 2016 Budget Adoption

i) Resolution #16 - 136: Budget Self Examination for 2016

Motion to Adopt Resolution 16-136: Councilmember Montana Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes

Councilmember Dell - Yes

Councilmember Arroyo – Yes

Council President Bicocchi – Yes

ii) Resolution #16 - 137 : Adoption of 2016 Municipal Budget

Motion to Adopt Resolution 16-137: Councilmember Montana Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes

Councilmember Dell - Yes

Councilmember Arroyo – Yes

Council President Bicocchi – Yes

c) Taub Foundation/Grotta Grant

Councilmember Montana attended a meeting for the Taub Foundation/Grotta grant recipients.

The grant deadlines have been extended. Councilmember Montana said he committed to having the Taub Foundation attend a Pascack Valley Mayors meeting to discuss senior services and age-friendly communities. Mayor Birkner said the PV Mayors would be happy to participate but they don't meet during the summer. He thinks the Bergen County League of Municipalities would be a better forum, but they also don't meet until September.

2) Fire and Ambulance; Shared Services: PG

Councilmember Grefrath complimented Councilmember Montana and all those who participated in the budget process for doing a good job and making it seem effortless.

a) Fire Department

Councilmember Grefrath announced that the new Engine 1 was delivered on Monday, May 16th. The Fire Department is holding a wetdown for the new rig at Westvale Park on August 13th. Mayor Birkner is glad the apparatus has been delivered. He noted he represented the Borough at the County's EMS Week celebration last week, where several Borough police officers were recognized as well as the Ambulance Corps.

b) Ambulance Corps

Councilmember Grefrath advised that the annual Ambulance Corps carnival is July 26th through 30th.

c) Environmental Committee

Councilmember Grefrath reported that the Environmental Committee has decided to postpone the installation of the rain garden at Borough Hall to the fall planting season in September/October. The Community Garden plots have all been taken. The Green Purchasing policy is currently under review by the CFO, with the next step being review and adoption by the Governing Body. The Environmental Committee is working on a program to collect recyclable plastic bags at drop-off points around the Borough. When enough bags are collected the Borough will earn a recycled-material bench for one of its parks.

3) Health and Recreation:

a) Recreation

Council President Bicocchi reported that Recreation is working on the specifications for a new gym floor. There is an ordinance on the agenda to allow for the use of the recreation trust fund to pay for the new floor rather than taxes. The two donated scoreboards were installed last week, and there are new lights on the front of the building. Council President Bicocchi said the Community Center is looking good, and Mayor Birkner agreed.

4) Land Use:

a) Crosswalk Lighting

Councilmember Dell said she will discuss the costs for installing a street light at the Washington Avenue crosswalk at the next meeting.

b) Farmers Market

Councilmember Dell reported that the Farmers Market is moving forward towards its opening on June 5th.

c) Historic Preservation Commission

Councilmember Dell advised that the Historic Preservation Committee has decided not to pursue historic designation for 230 Mill due to the addition on the home.

d) Relay For Life

Councilmember Dell attended the Relay For Life cancer fundraiser on Saturday night wearing her Ben Strong shirt. There was a huge turnout despite the weather.

5) Police and OEM:

a) Parking Authority

Councilmember Arroyo reported on a meeting with representatives from the Parking Authority, Taxpayers Alliance, Chamber of Commerce, and the Borough to come up with a timeline for implementation of the Walker report. The Parking Authority understands that the Governing Body wants to move forward in areas where the Chamber and TPA recommendations and the Walker report dovetail. Councilmember Arroyo is expecting the Parking Authority to make recommendations for action at their June 14th meeting, which the Governing Body will take up at the June 21st meeting.

b) Police Department

Councilmember Arroyo announced that the PBA contract has been signed and settled. It is a four year contract expiring December 31, 2018. He credited the PBA, Police Committee, CFO, Borough Administrator, Borough Clerk, and Governing Body for a job well done.

6) Public Properties:

a) DPW

The DPW Committee met to discuss recycling center concerns. There will be alterations to the hours to curb dumping abuses. He will roll out the plan with more information at the work session.

D) Attorney's Report

No report.

E) Administrator's / Clerk's Report

No report.

10. Agenda/Public Forum:

Motion to open Agenda/Public Forum: Councilmember Montana Second: Councilmember Greffrath
Voice Vote: A voice vote was taken with all present voting in the Affirmative.

John Zoeller, 86 Second Place, East Rutherford - appeared on behalf of a vendor who wasn't allowed to sell at Home for the Holidays. Mr. Zoeller pointed out that veterans and exempt firemen can sell merchandise in a municipality based on State and County statute without a local license. Mayor Birkner said the Clerk will interact with the Borough Attorney and County Clerk to resolve the matter, and requested Mr. Zoeller leave his contact information with Mrs. Hughes. Mr. Zoeller next commented that plastic bags jam conveyors and incur cost to the municipality.

Joe Letizia, 21 James Street - distributed the design report for the drainage improvements in Emerson that affects his property. Mr. Letizia believes it should be a joint venture and encouraged Westwood to apply for grant funding as Emerson has done. He requested that Westwood give permission for Emerson to perform construction in Westwood. Mayor Birkner said this is the first that Westwood is seeing a plan for the project and has yet to meet with Emerson, although Westwood does have a copy of the Emerson grant application and the Administrator is in the process of completing a grant application for Westwood. Mayor Birkner said the municipalities have a great relationship. Westwood will have to figure out where the finances fall, but will continue to be supportive. Mr. Letizia said he would appreciate being kept in the loop, and is willing to work on minimizing the cost for remediating his property afterwards.

Motion to close Agenda/Public Forum: Councilmember Arroyo Second: Councilmember Owens
Voice Vote: A voice vote was taken with all present voting in the affirmative.

11. Ordinances of First & Final Reading:

Ordinances on Introduction

16-14 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Replacement Of The Gym Floor At The Borough Community Center And Related Expenses And Appropriating \$73,000 Therefor From The Borough's Recreation Fund – Facility And Building Rentals

BE IT RESOLVED that Ordinance #16-14 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Replacement Of The Gym Floor At The Borough Community Center And Related Expenses And Appropriating \$73,000 Therefor From The Borough's Recreation Fund – Facility And Building Rentals” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a May 31, 2016, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Council President Bicocchi Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Grefrath – Yes Councilmember Dell - Yes
Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-15 Bond Ordinance To Authorize The Monitoring Of Landfill Emissions In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$50,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds

BE IT RESOLVED that Ordinance #16-15 entitled “Bond Ordinance To Authorize The Monitoring Of Landfill Emissions In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$50,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a May 31, 2016, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Grefrath Second: Council President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes

Council President Bicocchi – Yes

- 16-16 Bond Ordinance To Authorize The Acquisition Of Computer/Telecommunications Equipment In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$275,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds

BE IT RESOLVED that Ordinance #16-16 entitled “Bond Ordinance To Authorize The Acquisition Of Computer/Telecommunications Equipment In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$275,000 To Pay The Cost Thereof, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a May 31, 2016, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Owens Second:
Councilmember Dell

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

- 16-17 Bond Ordinance To Authorize The 2016 Road Resurfacing Program (Including The 2015 NJDOT Grant For Bogert Avenue) In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$573,000 To Pay The Cost Thereof, To Appropriate A State Grant, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds

BE IT RESOLVED that Ordinance #16-17 entitled “Bond Ordinance To Authorize The 2016 Road Resurfacing Program (Including The 2015 NJDOT Grant For Bogert Avenue) In, By And For The Borough Of Westwood, In The County Of Bergen, State Of New Jersey, To Appropriate The Sum Of \$573,000 To Pay The Cost Thereof, To Appropriate A State Grant, To Make A Down Payment, To Authorize The Issuance Of Bonds To Finance Such Appropriation And To Provide For The Issuance Of Bond Anticipation Notes In Anticipation Of The Issuance Of Such Bonds” is hereby introduced by title; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to advertise said ordinance with a May 31, 2016, 2016 hearing date in the official newspaper according to law.

Motion to pass the ordinance on First Reading: Councilmember Montana Second: Council

President Bicocchi

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

Ordinances for Adoption

16-12 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Fire Prevention Department And Related Expenses And Appropriating \$33,000 Therefor From The Borough's Fire Prevention Penalty And Code Compliance Funds

BE IT RESOLVED that Ordinance #16-12 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Fire Prevention Department And Related Expenses And Appropriating \$33,000 Therefor From The Borough's Fire Prevention Penalty And Code Compliance Funds" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Grefrath Second: Council President Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

No comments.

Motion to close the public hearing: Councilmember Grefrath Second: Council President Bicocchi
Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #16-12 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Grefrath Second: Councilmember Dell

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes
 Councilmember Grefrath – Yes Councilmember Dell - Yes
 Councilmember Arroyo – Yes Council President Bicocchi – Yes

16-13 An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Construction Code Department And Related Expenses And Appropriating \$29,000 Therefor From The Borough's Construction Code Compliance Fund

BE IT RESOLVED that Ordinance #16-13 entitled "An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey Providing For The Acquisition Of A Vehicle For The Borough Construction Code Department And Related Expenses And Appropriating \$29,000 Therefor From The Borough's Construction Code Compliance Fund" having hereby been read by title, shall have a hearing held on this date.

Motion to open the public hearing: Councilmember Dell Second: Councilmember Owens
Voice Vote: A voice vote was taken with all present voting in the affirmative.

Public Comments:

No comments.

Motion to close the public hearing: Council President Bicocchi Second: Councilmember Montana

Voice Vote: A voice vote was taken with all present voting in the affirmative.

BE IT RESOLVED that an Ordinance known as #16-13 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

Motion for final adoption: Councilmember Dell Second: Councilmember Owens

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

12. Presentation of Bills, Financial Reports and Resolutions:

Councilmember Grefrath asked if there were any resolutions to add to the Consent Agenda. He stated that any Councilmembers who wished to remove any Resolution(s) to be voted upon separately could do so at this time, otherwise the Consent Agenda would be enacted in one motion. Councilmember Montana asked if resolution d will create problems for rescue animal operations that hold adoption days. Mayor Birkner said it does not affect those types of rescue operations, but is aimed at storefront businesses and breeders.

Resolutions as Consent Agenda:

a) **Resolution #16 - 138: Bill List & Statement of Cash**

b) **Resolution #16 - 139: Authorization to Issue Estimated Tax Bills**

c) **Resolution #16 - 140: Award of Contract for Pascack Valley Cooperative Pricing System (#107-PVCPS) 2016 Road Paving Program**

d) **Resolution #16 - 141: Supporting S63 Prohibiting Sight-Unseen Sale of Cats and Dogs and Regulating Pet Shop Sales of Puppies and Kittens**

e) **Resolution #16 - 142: Approval of Mr. & Mrs. Wilson's Request to Consume Alcoholic Beverages on Public Property for a 50th Anniversary Party**

Motion to adopt resolutions #16-138 through #16-142: Councilmember Grefrath

Second: Councilmember Montana

Roll Call: Councilmember Owens - Yes Councilmember Montana - Yes

Councilmember Grefrath – Yes Councilmember Dell - Yes

Councilmember Arroyo – Yes Council President Bicocchi – Yes

13. Adjournment:

Motion to adjourn: Councilmember Owens Second: Councilmember Arroyo

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:53 pm.

Attest:

(signed) Karen Hughes

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk